

repeal of suspended sentence law enforcement measures and commending Governor Neff's messages on the subject.

Senator Bailey offered and had read a communication from Runge, urging passage of five million dollar appropriation bill for schools.

Senator Watts offered and had read a lengthy communication from Waxahachie, protesting against passage of medical practice Act. This was referred to Committee on Public Health. Also a petition, numerously signed, from Waxahachie, carrying same protest. This was referred to Committee on Public Health.

Senator Buchanan offered and had read fifteen telegrams from Temple, all urging passage of effective law.

The following telegram is printed here in full by order of the Senate:

Seguin, Texas, Feb. 17, 1921.

Senator C. F. Richards, Senate Chamber, Austin, Texas.

"I favor enforcement of the law and am still unalterably in favor of the suspended sentence law. Its misapplication does not change the just principles upon which it is founded. The abuse is due to the fact that our substantial citizens refuse to serve as jurors, leaving this sacred duty too often to professionals. General Dickman's statement that owing to suspension of sentences thirty thousand young men were saved to serve on the firing line is a sufficient endorsement to satisfy any reasonable mind. The object of punishment is to suppress crime and also to reform the offender. We are looking too much to financial success rather than moral reformation. Of the four thousand suspensions granted less than 200 had to be recommitted. Don't send a man to the penitentiary as long as there is hope of reform and do not permit this passing hysteria to repeal the suspended sentence law and take a step backwards in civilization towards the dark ages."

F. C. WEINERT.

THIRTY-SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, Feb. 23, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was

called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Dorough.

Absent—Excused.

Harp.

Williams.

Russell.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Invitation to Senate from Governor.

Governor's Office,

Austin, Texas, Feb. 23, 1921.

Hon. Lynch Davidson, Lieutenant Governor of Texas, Senate Chamber, Austin, Texas.

Dear Governor Davidson: Mrs. Neff and I desire to ask that you extend to the members of the Senate and their families a cordial invitation to be with us at an informal gathering of the members of the House of Representatives, the Senate, and the State officials at the Mansion from eight to ten Thursday evening.

Yours sincerely,

PAT. M. NEFF,

Governor.

On motion of Senator Russell the invitation was accepted by the Senate.

Senator McNealus moved that the invitation above be incorporated in the Senate Journal, which motion was adopted.

Special Committeeman Appointed.

The Chair here announced the ap-

pointment of Senator Fairchild as a member of the Citizens Committee to make certain investigation relative to the State Railroad, which was provided for in simple resolution on yesterday.

Excerpts from the Report of Senate Subcommittee No. 2.

Senate General Investigation Committee by J. C. McNealus,
Chairman Subcommittee
January 17,
1918.

Senator Davidson offered the following and was given unanimous consent for same to be printed in the Journal:

Your Subcommittee feels justified, in view of the industrious and earnest investigations made, in giving it as the opinion of your Subcommittee that the Prison System is grounded badly for the best interests of the people of Texas and for the humanitarian and reformatory treatment of the prisoners of the State. The System is fundamentally wrong, in the opinion of your Subcommittee, and it would be unreasonable for the public, or for any individual, to expect good results to come from a system so clearly bad and undesirable.

The year of 1917, showing profits and prosperity for the Prison System, cannot reasonably be taken as a criterion or guide as to permanent conditions. The war in Europe and the participation of our own government in this conflict, have created abnormal conditions, as to the demand for products and prices connected therewith.

These abnormal conditions and prices growing out of them, have enabled the management of the Prison System to show a net profit for the year 1917 of exceeding one million and a half of dollars. But the Legislative records of the State will show, that during the seven years immediately preceding 1917, when normal conditions and prices prevailed, more than three millions of dollars of the State's general revenues had to be appropriated to meet deficits in the revenues of the Prison System. It is permissible here to suggest that when peace shall have been restored and normal conditions

again shall have been brought about, instead of the Prison System showing the favorable results of 1917 it will be more likely to show results similar to those produced during the seven years preceding the war.

From an economical standpoint, your Subcommittee is of the opinion that the agricultural department of the Prison System, has, up to this time, proven itself a dismal failure.

Your Subcommittee, in view of the information obtained at first hand and observations made at close range is forced to the conclusion that some legislative action should be taken to enable the State to adopt a policy under which its present Prison System land holdings would be disposed of and the Prison System placed upon a different industrial basis.

The hope, however, is here expressed that the Texas Legislature will do something to improve conditions in this particular feature of prison life.

Commercialism seems to have been the first thought and practice in connection with the State's prison system. Efforts have been made, by succeeding administrations, for a long term of years, to make a financial and industrial showing to the credit of the system, largely to the overlooking of the reform and humanitarian practices here suggested. Your Subcommittee feels that the Legislature of Texas is competent to grapple with this feature of the State's penology, without further comment in this report.

Your Subcommittee believes that at least three thousand of the average number of prisoners in the System could be permanently employed in a more humanitarian way than is now possible and to a much more beneficial and profitable degree for the people of the State. Good roads have become a necessity in Texas. Their development could not be more practicable or expeditiously brought about than through the employment of large numbers of able-bodied prisoners in their construction.

House Bill No. 227.

The Chair laid before the Senate, on second reading,

H. B. No. 227, A bill to be entitled "An Act to provide for the organiza-

tion of purely co-operative marketing associations, defining their rights, duties and policies, prescribing who may organize such marketing associations, and providing for investigation prior to such organization; prescribing the powers that may be exercised by such marketing associations under this Act; prescribing who may become members of such marketing associations; prescribing what shall be contained in the articles of incorporation; providing for amendments to the articles of incorporation; providing for by-laws and the powers under such by-laws; providing for the meetings of members of any association organized under this Act, and prescribing the way and manner in which officers and directors of such corporations may be elected; prescribing for membership certificates and their issuance, and also the liability of members under the articles of incorporation, and limiting the transferring of membership certificates; providing for the removal of officers and directors of any co-operative marketing association organized under this Act; providing for a referendum to the stockholders and entire membership of any organization on any question that may be referred to such stockholders or members; providing for marketing contracts of co-operative marketing associations; providing powers, giving the right of purchasing business of other associations, persons, firms and corporations in dealing with an organization incorporated under the terms and provisions of this Act; providing for annual reports; limiting the use of the term 'co-operative' as applied to this Act; providing for interest in other corporations or associations, and providing contracts and agreements with other associations; providing that any association heretofore organized under the present existing statutes may by majority vote come under the provisions of this Act; providing for penalties for the breach of a marketing contract of a co-operative marketing association, and for making false reports about the association and the management thereof; providing that associations organized under this Act shall not be construed as in restraint of trade; providing for annual license fees and filing fees under this Act, and providing that if any section of this Act is declared un-

constitutional, the remainder of the Act shall remain in full force and effect, and declaring an emergency."

The bill was read second time, and,

Senator Woods offered the following amendment:

Amend H. B. No. 227 as follows: Strike out the following words in lines 10 and 11, Section 6, page 4: "No association, however, shall handle the agricultural products of any non-member," and insert in lieu thereof, "Any association may handle the agricultural products of non-members on such conditions as may be prescribed by the Board of Directors."

On motion of Senator Buchanan the amendment was tabled.

Senator Woods offered the following amendment: Strike out all of lines 12, 13, 14, 15, 16 and 17 of Section 12, page 9, of the bill.

On motion of Senator Buchanan the amendment was tabled.

Senator Woods offered the following amendment:

Amend H. B. No. 227 as follows: Strike out all of Section 21.

(Senator Bledsoe in the Chair.)

Senator Bailey offered the following substitute for the amendment:

Amend the bill, Section 21, page 11, by striking out all of said section and inserting in lieu thereof the following:

Section 21. All corporations created under the terms and provisions of this Act shall be required to give a bond payable to the State of Texas for the use and benefit of any citizen thereof in such sum as may be determined upon by the Commissioner of Markets. Said bond shall in no event be for more than 10% of the approximate amount of business to be done by such co-operative association. Such bond may be made by a surety company authorized to do business under the laws of this State or by private individuals but in all instances the solvency of the individuals must be certified to by the County Clerk of the county that is designated as the home office of such corporation, or by the Comptroller of the State of Texas. Such bond shall be conditioned that the corporation will pay to any party or parties from whom it received produce the full amount of the sale price thereof less whatever commissions, expenses, freights and other charges that may be incident to the sale of the product; that the product received

from the farmer will be handled with ordinary care and business discretion. Such bond shall not be void on first recovery but may be sued upon successively by any and all parties who shall have a cause of action against such association. It shall not be necessary to join the State in any suit on such bonds. The venue of all suits shall be determined by the general venue statutes now in force in this State.

BAILEY.

The substitute for the amendment was adopted.

The amendment, as substituted, was adopted.

Senator Bailey offered the following amendment, which was read and adopted:

Amend the caption of the bill by striking out the words, "limiting the use of the word co-operative as applied to this Act," and insert in lieu thereof the words, "providing that all corporations created under the terms of this Act shall give bond and prescribing the terms and conditions of such bonds."

Senator Woods offered the following amendment:

Strike out the words, beginning with the word, "guilty," in line 22, Section 25, page 15, and ending with the word, "offense," in line 26, Section 25, page 15, of the bill and insert in lieu thereof the following: "Liable to the association aggrieved thereby in a civil suit for damages suffered in three times the amount of actual damages proven for each offense."

Senator Darwin offered the following substitute for the amendment:

Amend S. B. No. 227 by striking out Section 25 and numbering the other sections accordingly.

Action recurred on the substitute for the amendment and the same was lost by the following vote:

Yeas—6.

Baugh.	Parr.
Darwin.	Rogers.
McNealus.	Woods.

Nays—18.

Bailey.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Richards.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Wood.

Present—Not Voting.

Fairchild.	Hall.
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Absent.

Harp.	Witt.
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Absent—Excused.

Dorough.	Williams.
Russell.	

Action recurred on the amendment by Senator Woods and Senator Clark moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—10.

Bailey.	Cousins.
Bledsoe.	Fairchild.
Buchanan.	Floyd.
Carlock.	Richards.
Clark.	Watts.

Nays—16.

Baugh.	Murphy.
Darwin.	Page.
Davidson.	Parr.
Dudley.	Rogers.
Hertzberg.	Suiter.
Lewis.	Witt.
McMillin.	Wood.
McNealus.	Woods.

Absent.

Hall.	Russell.
Harp.	

Absent—Excused.

Dorough.	Williams.
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The amendment was adopted.

Senator Wood offered the following amendment:

Amend H. B. No. 227, page 15, line 15, by striking out the word, "misdemeanor."

The amendment was read and adopted.

(Lieutenant Governor Davidson in the Chair.)

The bill was read second time and passed a third reading.

On motion of Senator Buchanan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 227 put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Darwin.	Lewis.
Harp.	

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill (H. B. No. 227) was laid before the Senate, read third time and passed finally by the following vote:

Yeas—24.

Bailey.	Hall.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Suiter.
Davidson.	Watts.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.

Nays—2.

McMillin.	McNealus.
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Absent.

Harp.	Rogers.
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Absent—Excused.

Dorough.	Williams.
Russell.	

House Bill No. 127.

The Chair laid before the Senate on second reading,

H. B. No. 127, A bill to be entitled "An Act providing for the assessment and collection of taxes for all purposes, except State purposes, on lands acquired and owned by the State for the

purposes of establishing State farms and employing convict labor on State account, and repealing all laws in conflict herewith, and declaring an emergency."

Senator Page offered the following amendment:

Amend the bill by striking out all after the word, "same," in line 29, on page 1, and adding the following: "To sell all of said lands as soon as a sale for fair price may be made and pay the proceeds into the State Treasury." Amend the caption to conform to this amendment.

Senator Darwin made the point of order that the amendment was not germane to the bill.

The Chair sustained the point of order.

On motion of Senator Bailey the bill was laid on the table subject to call.

House Bill No. 324.

The Chair laid before the Senate on second reading,

H. B. No. 324, A bill to be entitled "An Act authorizing the Polytechnic Heights Independent School District No. 42 of Tarrant County to levy and collect taxes, for issuance of bonds to the amount not to exceed fifty cents on the one hundred dollar valuation, declaring an emergency, and the repeal of all laws conflicting with any part of this Act."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Carlock the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 324 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.Dorough.
Russell.

Williams.

H. B. No. 324 was read third time and passed finally by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.Dorough.
Russell.

Williams.

Bills and Resolutions.

(By Unanimous Consent.)

By Senator Cousins:

S. B. No. 292, A bill to be entitled "An Act enlarging and creating Geneva Independent School District, in Sabine County, Texas, and consolidating Rock Springs Common School District No. 18 and Red Oak Common School District No. 22 with Geneva Independent School District; defining its boundaries; providing for a Board of Trustees; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only; providing for a Board of Equalization to fix the taxable valuation of the personal and real property in said district; divesting out of the Rock Springs Common School District No. 18 and Red Oak Grove Common School District No. 22 the title and the control of all school money and school property belonging to said common school districts, and

vesting the title and the control of all such money and property in Geneva Independent School District; providing that if any part of this Act is declared unconstitutional, such decisions shall not make void or annul its other provisions; repealing all laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McMillin:

S. B. No. 293, A bill to be entitled "An Act to authorize counties and cities of over ten thousand inhabitants, either or both, where a fund of Fifty Thousand Dollars, or more, has been, or shall be, left by will, or otherwise, for the establishment and maintenance of a hospital in such city in which the sick and wounded of such city, or of the State of Texas, who are indigent, may be admitted and receive the care and attention of the hospital and medical and surgical attention without cost; to aid in the maintenance of such hospital so far as in the judgment of the Commissioners' Court of the county, or of the governing body of the city, may be proper; to provide hospital accommodations and medical and surgical attention for the sick and wounded of such county or city who may be indigent; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Hertzberg:

S. B. No. 294, A bill to be entitled "An Act fixing the time of holding court in the Thirty-eighth Judicial District of Texas, changing the time for holding court in Kerr County, and repealing all laws in conflict herewith."

Read first time and referred to Committee on Judicial Districts.

By Senator Hertzberg:

S. B. No. 295, A bill to be entitled "An Act creating San Jose Independent School District in Bexar County, Texas; defining the boundaries thereof; providing that outstanding indebtedness of Bexar County Common School District No. 40 shall be valid for and against San Jose Independent District; providing that the legal tax rate of Bexar County Common School District No. 40 shall be made valid in San Jose Independent District, until changed by vote of the people thereof; providing for the general laws of in-

dependent districts to apply to San Jose Independent District, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Floyd, McNealus and Darwin:

S. B. No. 296, A bill to be entitled "An Act providing that when any bank which is a county, city or district depository for public funds under the laws of this State, suspends business, or is taken charge of by the Comptroller of the Currency or the Commissioner of Insurance and Banking, that the lawful county, city or district authorities authorized to select a depository in the first instance shall have the discretion and authority to select by contract a special depository for the public funds in suspended bank; declaring that such special depository shall assume the payment of such public funds, and it shall pay the same to the designated public authority in accordance with the contract; defining the terms of the contract, making provisions with reference thereto; providing that performance of the contract and payment of all funds described therein shall be secured by bond to be given by the special depository, with the same character of sureties as is required for regular depository bonds; providing for the approval of such special depository contracts and bonds, and leaving it to the discretion of the public authorities as to the rate of interest which such public funds shall bear, or as to whether such funds shall be non-interest bearing; providing that if any State funds are in the county depository which has failed, the amount thereof shall be ascertained by the State Comptroller, who shall be authorized in his discretion to enter into a contract with the special depository selected by the county authorities for the custody and payment of the same, in the same manner that county authorities are authorized to enter into such contracts; giving the Comptroller authority to take and approve contracts and bonds therefor; providing, however, that State funds placed in such special depository shall bear the average rate of interest received by the State on funds placed with regularly selected State depositories; providing that nothing in this Act shall require the State, county, city or district authorities to select a special de-

pository as is herein permitted, and declaring that such authorities may pursue their lawful remedies against the failed bank, if, in their discretion, it is best for the public interest so to do, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

House Bill No. 342.

The Chair laid before the Senate on second reading,

H. B. No. 342, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenues for the several institutions and departments of the State Government for the fiscal year ending August 31, 1921, and declaring an emergency."

On motion of Senator Dudley the committee report, with committee amendments, and that the bill be printed in the Journal, was adopted.

(See Appendix of Journal of the thirtieth day for the amendments in full.)

Senator Dudley offered the following amendment, which was read and adopted:

Amend H. B. No. 342 by inserting, "Markets and Warehouse Department, for stationery, printing and publishing, \$1,500.00."

Senator Wood offered the following amendment:

Amend H. B. No. 342 under heading, Department of Education, "additional appropriation for traveling expense of High School Supervisors."

Senator Clark moved to table the amendment, which motion was adopted by the following vote:

Yeas—14.

Bailey.	Floyd.
Baugh.	Hertzberg.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Clark.	Murphy.
Davidson.	Richards.
Fairchild.	Watts.

Nays—10.

Carlock.	Rogers.
Dudley.	Suiter.
Lewis.	Witt.
Page.	Wood.
Parr.	Woods.

Absent.

Cousins.	Hall.
Darwin.	Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read second time and passed to a third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 342 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Davidson.	Rogers.
Dudley.	Suiter.
Fairchild.	Watts.
Floyd.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Cousins.	Hall.
Darwin.	Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally by the following vote:

Yeas—21.

Bailey.	McNealus.
Baugh.	Murphy.
Bledsoe.	Page.
Carlock.	Parr.
Clark.	Richards.
Davidson.	Rogers.
Dudley.	Watts.
Fairchild.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.
McMillin.	

Absent.

Buchanan.	Hall.
Cousins.	Harp.
Darwin.	Suiter.
Floyd.	

Absent—Excused.

Dorough.	Williams.
Russell.	

Recess.

On motion of Senator McNealus the Senate, at 12:15 recessed until 3 o'clock today.

After Recess.

The Senate was called to order, Lieutenant Governor Davidson in the Chair.

House Bill No. 281.

The Chair laid before the Senate on third reading,

H. B. No. 281, A bill to be entitled "An Act creating the Perryton Independent School District in Ochiltree County, Texas; defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its Board of Trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the Board of Trustees thereof; providing that such district may have its own Assessor and Collector of Taxes and Board of Equalization; repealing Chapter 94, of the Local and Special Laws, passed by the Third Called Session of the Thirty-sixth Legislature, and Chapter 1, of the Local and Special Laws, passed by the Fourth Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 281 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Cousins.
Baugh.	Darwin.
Bledsoe.	Davidson.
Buchanan.	Dudley.
Carlock.	Fairchild.
Clark.	Floyd.

Hall.	Parr.
Hertzberg.	Richards.
Lewis.	Rogers.
McMillin.	Suiter.
McNealus.	Watts.
Murphy.	Witt.
Page.	Wood.

Absent.

Harp.	Woods.
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Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dudley.	Suiter.
Fairchild.	Watts.
Floyd.	Witt.
Hall.	Wood.

Absent.

Harp.	Woods.
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Absent—Excused.

Dorough.	Williams.
Russell.	

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has defeated the following bill:

H. B. No. 23, A bill to be entitled "An Act defining and declaring certain public utilities and virtual monopolies and subjecting same to the power and jurisdiction of the Railroad Commission of Texas to regulate and enact rules, regulations, orders, decisions for the government and conduct of the business of the same, etc., and declaring an emergency."

Respectfully submitted,

N. K. BROWN,

Chief Clerk, House of Representatives.

House Bill No. 289.

The Chair laid before the Senate on second reading,

H. B. No. 289, A bill to be entitled "An Act creating the Rowena Independent School District in Runnels County, Texas; defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its Boards of Trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Baugh the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 289 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally by the following vote:

Yeas—27.

Bailey.	Hall.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dudley.	Rogers.
Fairchild.	Suiter.
Floyd.	Watts.

Witt. Woods.
Wood.

Absent.

Harp.

Absent—Excused.

Dorough. Williams.
Russell.

House Bill No. 330.

The Chair laid before the Senate, on second reading,

H. B. No. 330, A bill to be entitled "An Act creating the Laneville Independent School District of Rusk County; defining its boundaries; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the General Laws; providing for a Board of Trustees therefor, and declaring an emergency."

Senator Davidson moved to postpone the consideration of the bill indefinitely.

House Bill No. 307.

The Chair laid before the Senate on second reading,

H. B. No. 307, A bill to be entitled "An Act creating the Booker Independent School District out of territory in Lipscomb County, Texas, defining its boundaries, fixing the number of trustees, providing for their election, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 307 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Fairchild.
Baugh.	Floyd.
Bledsoe.	Hall.
Buchanan.	Hertzberg.
Carlock.	Lewis.
Clark.	McMillin.
Cousins.	McNealus.
Darwin.	Murphy.
Davidson.	Page.
Dudley.	Parr.

Richards. Witt.
Rogers. Wood.
Suiter. Woods.
Watts.

Absent.

Harp.

Absent—Excused.

Dorough. Williams.
Russell.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough. Williams.
Russell.

House Bill No. 266.

The Chair laid before the Senate, on second reading,

H. B. No. 266, A bill to be entitled "An Act to amend Section 2 Chapter 6, of the Special Laws of Texas, passed by the Second Called Session of the Thirty-fifth Legislature, on page 39, thereof, approved August 30, 1917, being 'An Act creating the Alanreed Independent School District in Gray County, Texas, giving the Board of Trustees the power to select and designate the depository for said school district, and declaring an emergency.'"

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 266 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

House Bill No. 306.

The Chair laid before the Senate, on second reading:

H. B. No. 306, A bill to be entitled "An Act creating the Hontoon Independent School District in Ochiltree County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of

trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; district included within the bounds therefore authorized by any former school district included within the bounds thereof shall remain in full force and effect; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 306 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough.	Williams.
Russell.	

The bill was read third time and passed finally by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough. Williams.
Russell.

House Bill No. 358.

The Chair laid before the Senate, on third reading,

H. B. No. 358, A bill to be entitled "An Act to reorganize the Sixty-third and Eighty-third Judicial Districts of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts; and to conform all writs and process from such courts to such changes; and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of the courts in the several districts as herein fixed, and to validate process, and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Dudley moved to adopt the committee report, with amendments.

The bill was read second time and passed to a third reading.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 358 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Harp.

Absent—Excused.

Dorough. Williams.
Russell.

The bill was read third time and passed finally by the following vote:

Yeas—23.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Davidson.	Richards.
Dudley.	Rogers.
Fairchild.	Suiter.
Floyd.	Watts.
Hall.	Wood.
Hertzberg.	Woods.
Lewis.	

Absent.

Buchanan. Harp.
Clark. Witt.
Darwin.

Absent—Excused.

Dorough. Williams.
Russell.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House Bill No. 227, and has asked for the appointment of a free conference committee.

The following free conference committee has been appointed on the part of the House:

Messrs: John Davis, Rountree, Beasley of Hopkins, Veatch, Quick-sall.

The House grants the request of the Senate for the appointment of a free conference committee on Senate Bill No. 7.

The following committee has been appointed on the part of the House:

Messrs. Seagler, Darroch, Lackey, Stevenson and Wright.

Respectfully submitted.

N. K. BROWN.

Chief Clerk House of Representatives.

House Joint Resolution No. 11.

The Chair laid before the Senate, on Second reading,

H. J. R. No. 11, Proposing an

amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1910, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7c) cents on the 100 valuation of property in this State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

On motion of Senator Bledsoe, the committee report, with committee amendments, was adopted.

The resolution was passed to a third reading.

House Joint Resolution No. 12.

The Chair laid before the Senate, on second reading,

H. J. R. No. 12, Proposing an amendment to Section 13, Article 8, of the Constitution of the State of Texas, providing for sale and conveyance of property for taxes due thereon, and for the redemption by the former owner of land, within two years from the date of purchaser's deed.

The committee report was adopted.

The resolution was passed to a third reading.

House Joint Resolution No. 9.

The Chair laid before the Senate, on second reading,

H. J. R. No. 9, Relating to the amending of Article 8, Section 14, of the State Constitution of the State of Texas, abolishing the office of county tax assessor and devolving the duties of said officer upon the county tax collector.

There being a favorable majority committee report, with a substitute resolution, and a minority (adverse) committee report.

Senator Rogers moved to adopt the minority, adverse, committee report.

Senator Fairchild moved, as a sub-

stitute, that the majority, favorable with committee substitute, be adopted.

Action recurred on the substitute motion, and the same was lost by the following vote:

Yeas—7.

Baugh.	Murphy.
Clark.	Suiter.
Cousins.	Wood.
Fairchild.	

Nays—16.

Bailey.	McMillin.
Bledsoe.	McNealus.
Darwin.	Page.
Davidson.	Parr.
Dudley.	Richards.
Floyd.	Rogers.
Hall.	Watts.
Hertzberg.	Woods.

Present—Not Voting.

Buchanan.	Lewis.
Carlock.	

Absent.

Harp.	Witt.
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Absent—Excused.

Dorough.	Williams.
Russell.	

The minority committee (adverse) committee report was then adopted.

Morning call concluded.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 23, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolutions:

S. J. R. No. 1, Proposing an amendment to Section 2, Article 6, of the Constitution of the State of Texas by providing that only native born or naturalized citizens of the United States shall be qualified electors in this State, and permitting either the husband or the wife to pay the poll tax of the other and receive the receipt therefor, and permitting the Legislature to authorize absentee voting, with amendments.

H. C. R. No. 28, Approving desig-

nation by Highway Commission of the Jefferson Davis National Highway.

Respectfully submitted,
N. K. BROWN,
Chief Clerk House of Representatives.

House Bill No. 227—Conference Committee On.

Senator Witt moved that the Senate grant the request of the House for a conference committee on House Bill No. 227.

The motion was adopted.

The Chair announced the appointment of Senators Suiter, Witt, Buchanan, Watts and Cousins as the committee on the part of the Senate.

Senate Bill No. 22.

The Chair laid before the Senate, on second reading and special order for this hour,

S. B. No. 22, A bill to be entitled "An Act to regulate the business of banking in this State when conducted by private individuals, partnerships or association of private individuals or by concerns operating under charters obtained in Texas prior to the adoption of the Constitution of 1876; to require the Commissioner of Insurance and Banking to make periodical examinations and report of the condition of the affairs of such banks; to provide for the publication of such reports; to compel all such banks to submit to such examination and reports and to pay the expenses of the same; to define what shall constitute violations of this Act and prescribing penalties for the same; to provide for the liquidation for all such banks when insolvent or about to become so; and prescribing the duties of the Attorney General as to taking steps to close up and force the liquidation of such banks in certain contingencies, and to forfeit the banking privileges of the charter of any bank so liquidated; to provide that all private banks shall cease to operate in this State after January 1, A. D. 1922, and prescribing penalties for operating such banks after such date; repealing all laws in conflict herewith, and declaring an emergency."

There being a favorable majority

committee report recommending a substitute bill, and a minority, adverse, committee report,

Senator Carlock moved to adopt the majority committee report, and, Senator Floyd moved, as a substitute, that the minority, adverse, committee report be adopted.

Action recurred on the substitute motion first, and

Pending discussion by Senator Carlock, Senator Hall made the point of order that the discussion could only be on the bill and committee substitute, and not on any proposed other substitute that may be later offered.

The Chair overruled the point of order, holding that a statement of a matter that would take the place of the bill or substitute would be in order.

Pending further discussion.

Action recurred on the motion to adopt the minority, adverse, committee report, and the same prevailed by the following vote:

Yeas—17.

Bailey.	Floyd.
Baugh.	Hall.
Bledsoe.	Hertzberg.
Buchanan.	Lewis.
Clark.	McNealus.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Watts.
Fairchild.	

Nays—7.

Carlock.	Rogers.
Dudley.	Witt.
McMillin.	Woods.
Murphy.	

Absent.

Harp.

(Pairs Recorded.)

Senator Wood (present), who would vote "Aye"; with Senator Williams (absent), who would vote "No."

Senator Page (present), who would vote "No"; with Senator Dorrough (absent), who would vote "Aye."

Senator Suiter (present), who would vote "No"; with Senator Russell (absent), who would vote "Aye."

Senator Floyd moved to reconsider the vote by which the Senate adopted the minority committee report.

The motion prevailed.

Simple Resolution No. 57.

By Senator Watts:

Be it Resolved by the Senate:

That Senator T. W. Davidson be added to the Committee on Towns and City Corporations.

The resolution was read and adopted.

House Bill No. 330.

Senator Davidson moved to reconsider the vote by which the consideration of H. B. No. 330 was postponed indefinitely.

The motion was adopted.

Senator Davidson moved that the bill be laid on the table subject to call.

Senate Bill No. 186.

The Chair laid before the Senate on second reading,

S. B. No. 186, A bill to be entitled "An Act to provide for the sale, lease, transfer, patenting and forfeiture of the land belonging and set apart for the use and benefit of the University of Texas, and how the money received from the sale of the University land shall be invested, and declaring an emergency."

The bill was read and action recurred on the committee report, which recommended a substitute for the original bill.

Senator Buchanan moved that the committee report be adopted.

(Senator Witt in the Chair.)

Pending discussion, Senator Carlock moved that the further consideration be postponed until 3 o'clock tomorrow afternoon.

The motion was adopted.

Senator Carlock here moved that a copy of S. B. No. 186 be furnished the Board of Regents of the University and that the Board be requested to furnish the Senate with a written opinion as to the advisability of the passage of the bill.

The motion was adopted.

Senate Bill No. 122.

The Chair laid before the Senate on second reading,

S. B. No. 122, A bill to be entitled "An Act establishing a State Athletic Commission and regulating the art of boxing and sparring exhibitions, or performances, in the State of Texas."

The bill was read second time.

Pending.

Bills Signed.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 327, A bill to be entitled "An Act to amend Section 3 of Chapter 91 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, to fix the time for holding the terms of the district court in the various counties composing the Eighty-first Judicial District of Texas; to repeal all laws and parts of laws in conflict with this Act."

H. B. No. 158, A bill to be entitled "An Act making appropriations to cover authorized deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1920, and August 31, 1921, respectively, and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act to amend Sections 4, 40, 66, 80, 81, 82 and 100 of Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature, providing for organization and government of water improvement and irrigation districts."

H. C. R. No. 9, providing for the printing of the Legislative Manual.

Adjournment.

On motion of Senator Clark the Senate, at 5:30 p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.**

Senate Chamber,
Austin, Texas, Feb. 23, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 317, A bill to be entitled "An Act authorizing the Commissioners' Court of Scurry County to validate the sale of a certain block of land in the town of Snyder, in this State, known as Block 25, and shown on the recorded plat of the original town of Snyder, in Scurry County, of record in Book 1, at page 358 of the Deed Records of said county; authorizing the Commissioners' Court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency,"

Have had the same under consideration, and I am directed by the committee to report said bill back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred S. B. No. 287, A bill to be entitled "An Act creating the Buffalo Flat Common School District No. 20, in Hall County, Texas, describing its metes and bounds, providing for the assumption of its part of the bonded indebtedness of Turkey Independent District, placing the district under the General Laws, providing for a Board of three Trustees, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 21, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 358, A bill to be entitled "An Act to reorganize the Sixty-third and Eighty-third Judicial Districts of the State of Texas and to prescribe the time and fix the terms of holding the courts in each of said Judicial Districts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

RICHARDS, Chairman.

Committee Room,
Austin, Texas, Feb. 23, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred S. B. No. 213, A bill to be entitled "An Act diminishing the jurisdiction of the County Court of Tyler County, Texas, so that such court will have only the jurisdiction of a Probate Court and conferring the civil and criminal jurisdiction of said County Court upon the District Court of Tyler County, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

RICHARDS, Chairman.

Senate Chamber,
Austin, Texas, Feb. 23, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 46 carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

THIRTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
Thursday, Feb. 24, 1921.
The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods.

Absent.

Fairchild.

Page.